

REMARKS

Claims 1, 4, 7-27, and 30-33 remain in this application. Claims 1, 4, 7, 15, 17, 20, 24-25, 27, and 30-33 were amended in this response. Claims 2-3, 5-6, and 28-29 were canceled, without prejudice. No new matter has been introduced as a result of the amendments.

The drawings were objected to for not having the designation "Prior Art" on FIG. 1. Applicant has amended the drawings to reflect this designation. Withdrawal of the objection is respectfully requested.

The specification was objected to by the Examiner for informalities. Applicant has amended the specification to address these objections. With regard to the Examiner's objection regarding the terminology "speech recognition" and "voice recognition," Applicant appreciates the point made that the USPTO recognizes the two terms under different examining classes. While a term used in the claims may be given a special meaning in the description of the invention, generally no term may be given a meaning repugnant to the usual meaning of the term. In *re Hill*, 161 F.2d 367, 73 USPQ 482 (CCPA 1947). However, it has been stated that consistent with the well-established axiom in patent law that a patentee is free to be his or her own lexicographer, a patentee may use terms in a manner contrary to or inconsistent with one or more of their ordinary meanings. *Hormone Research Foundation Inc. v. Genentech Inc.*, 904 F.2d 1558, 15 USPQ2d 1039 (Fed. Cir. 1990). Accordingly, when there is more than one definition for a term, it is incumbent upon applicant to make clear which definition is being relied upon to claim the invention (MPEP 2173.05(a)). While the state of the art may prefer to delineate between speech and voice recognition, Applicant submits that the disclosure in the specification and the terminology used is consistent with the art of speech recognition, and is intended to be examined as such. Withdrawal of the objection is respectfully requested.

Claims 1, 2 and 24 were objected to for having informalities. With the above amendments, Applicant submits that the objections are now moot, and withdrawal of the objections is respectfully requested.

Claims 1-3, 5, 6, 10, 17-20, 27, 28, 31 and 32 were rejected by the Examiner under 35 U.S.C. §102(b) as being anticipated by *Ibuki et al.* (JP Patent No. 04-153878). Claims 4, 11, 12 and 22-24 were rejected under 35 U.S.C. §103(a) as being unpatentable over *Ibuki et al.* (JP

Patent No. 04-153878) in view of *Rondel et al.* (US Patent No. 4,984,177). Claims 8, 9, 13 and 14 were rejected under 35 U.S.C. §103(a) as being unpatentable over *Ibuki et al.* (JP Patent No. 04-153878) in view of *Kuo* (US Patent No. 5,285,386). Applicant respectfully traverses this rejection.

Specifically, *Ibuki* does not disclose “converting means for converting the first natural language inputted by the input means into at least another representation within the same first language, confirmation means for confirming the first natural language converted by the converting means, and processing means for translating the first natural language confirmed by the confirmation means to a second natural language” as recited in claim 1 and similarly recited in independent claims 25, 27 and 33. While *Ibuki* discloses a “machine translation device,” the data being translated is not data from different languages, but data within the *same* language. In other words, *Ibuki* expressly teaches that the device disclosed in the reference “translates” (i.e., rewrites) ambiguous sentence structures to allow a user to choose between alternate expressions of the same sentence within that language (see claim 1, specification page 3, lines 10-15; page 6, second paragraph). *Ibuki* is wholly silent regarding the translation of data between different languages.

Furthermore, the claims recite features that are in means-plus-function format. The “broadest reasonable interpretation” that an examiner may give means-plus-function language is that statutorily mandated in paragraph six. 35 U.S.C. 112, sixth paragraph states that a claim limitation expressed in means-plus-function language “shall be construed to cover the corresponding structure described in the specification and equivalents thereof.” Accordingly, the PTO may not disregard the structure disclosed in the specification corresponding to such language when rendering a patentability determination (see MPEP 2181).

With regard to claims 17 and 31, *Ibuki* does not disclose “a second processing means for converting natural language and a second confirmation means for confirming result of the second processing means are provided at a stage preceding a first processing means to thereby carry out execution in advance of confirmation to omit confirmation of result of the first processing means” as recited in claim 17 and similarly in claim 31 (also described in specification pages 41-46). The portion of *Ibuki* cited by the Examiner (page 6, lines 18-21), merely describes a configuration where a user is presented with a sentence converted by the structure processor 4.

If the user rejects the converted sentence, the processor attempts other conversions until the user accepts the converted sentence. Once the user accepts, the sentence is forwarded for display (page 6, lines 18-22). Accordingly, *Ibuki* does not teach processing made in advance, and further does not provide for any teaching for omitting confirmations throughout the process.

In addition to the arguments above, Applicant submits that the combinations of *Ibuki* with either *Rondel* or *Kuo* is improper, because *Ibuki* does not teach any system or configuration for language translation. Accordingly, there is no teaching, suggestion or motivation to combine the references. While obviousness can only be established by combining or modifying the teachings of the prior art to produce the claimed invention, there also must be a teaching, suggestion or motivation to do so (see MPEP 2141). In determining the differences between the prior art and the claims, the question under 35 U.S.C. §103 is not whether the differences themselves would have been obvious, but whether the claimed invention as a whole would have been obvious. *Stratoflex, Inc. v. Aeroquip Corp.*, 713 F.2d 1530 (Fed. Cir. 1983) (MPEP 2141.02). And the mere fact that references can be combined or modified does not render the resultant combination obvious unless the prior art also suggests the desirability of the combination (MPEP 2143.01). As *Ibuki* only teaches sentence restructuring within a singular language, there is no teaching or suggestion to employ the language processing of the cited art (i.e., polysemous words, kana-kanji conversion, etc.) to arrive at the claim interpretation proffered by the Office Action.

In light of the above, Applicant respectfully submits that claims 1, 4, 7-27, and 30-33 of the present application are both novel and non-obvious over the art of record. Accordingly, Applicant respectfully requests that a timely Notice of Allowance be issued in this case. If any fees are due in connection with this application as a whole, the Examiner is authorized to deduct such fees from deposit account no. 02-1818. If such a deduction is made, please indicate the attorney docket number (0113184-021) on the account statement.

Respectfully submitted,

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BY

A handwritten signature in black ink, appearing to read "Peter Zura", is written over a horizontal line.

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